

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

2016 JAN 26 PM 2:36

UNITED STATES OF AMERICA

v.

DONALD FELL,

Defendant.

Case No. 5:01-cr-12

CLERK
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TRIAL SCHEDULING ORDER

In light of the issues raised at the pre-trial conference on January 20, 2016, the court has moved the trial date from October 3, 2016, to Monday, February 27, 2017. There are several reasons for this decision:

1. Attorney Philipsborn's commitment in the Cervantes trial will keep him out of meaningful trial preparations in this case from May – August 2016. To contribute his skills fully to the Fell defense, he needs more time.
2. The court anticipates calling a state-wide pool of potential jurors. Those traveling more than 50 miles each way will be entitled to lodging. Not all will request it, but it will be nearly impossible to secure rooms for potential jurors in the Rutland area during the month of October due to the high number of visitors during foliage season.
3. Starting jury selection in late October or early November would require trying the case during the holiday period which greatly complicates the task of obtaining qualified jurors for a 2 – 3 month trial.
4. By late February, there is reason to hope that the worst of the winter travel problems will be behind us and that we can reasonably invite several hundred jurors to the Rutland courthouse to fill out questionnaires.

Additionally, the extra time will be put to good use. Both sides continue to raise a host of important issues which require attorney time and court time to address. Some issues may require significant hearing time. Accordingly, with reluctance and after trying hard to hold to the original schedule, the court will move the trial to the late winter months of 2017.

Dated at Rutland, in the District of Vermont, this 26th day of January, 2016.


Geoffrey W. Crawford, U.S. District Judge